

**CITY OF CLEWISTON  
PLANNING AND ZONING BOARD  
Regular Meeting  
March 14, 2016**

Mr. L. Hughes, Chairman, called a regular meeting of the Clewiston Planning and Zoning Board to order at 5:31 p.m., in the City Hall Commission Chambers, 115 West Ventura Avenue.

**ATTENDANCE:**

Members Present: Michael Atkinson  
Donnie Hughes  
Lewell Hughes  
Haitham Kaki

Members Absent: None

City Personnel Present: Kathy Combass  
Karen Moore  
Travis Reese  
Debbi Towner

City Attorney Present: Charlie Schoech (by phone)

Visitors Present: Clyde Johnson, Larry Bennett, Pedro Diaz, R. Leonard Carroll,  
Michelle Morgan, Pepe Lopez, Jimmy Pittman, Michael  
Martin

Recite the Pledge of Allegiance

Approval of Minutes.

Mr. D. Hughes made a motion, seconded by Mr. Atkinson to approve the minutes of the October 5, 2016 meeting. Motion passed unanimously on a voice vote – 4 ayes.

This meeting was advertised in the March 3, 2016 issue of the Clewiston News.

Chairman Hughes stated that the appeal of administration decision can be discussed first so as not to keep the audience members longer than necessary.

Mr. Schoech conducted the swearing in of all participants wishing to speak.

Agenda Item #2: Appeal of Administration Decision

Mr. Reese gave a brief summary of the circumstances leading to his interpretation of code section 110-524 being questioned. A complaint regarding a newly erected fence was received on February 19, 2016 and on February 29, 2016 the technical review committee met to discuss the code. Their opinion was that the building official's interpretation of section 110-524 was incorrect; therefore, they suggested a new policy. In the meantime, Mr. Clyde Johnson, applied for a fence to be installed at his new location where he is building a new office building. Mr. Reese thought it best to deny the fence application based on the opinion of the technical review committee. Mr. Johnson appealed that decision. Mr. Atkinson declared that in his opinion, the code section is clear regarding Commercial property. Mr. Pittman, of 228 East Arcade Avenue, spoke about the background of the fence ordinance. Mr. Pittman was on the City Commission when the ordinance was written and he stated that the intent of the language was primarily meant for residential as commercial/industrial has no setbacks. One question Mr. Pittman asked is "who on the technical review committee has more training/knowledge than our Building Official or those in the construction business?" Mr. Schoech says that the reason this is in front of the Planning & Zoning Board is because Mr. Johnson has the right to appeal the decision of the Building Official and that the technical review committee only rendered an opinion of the interpretation of the code. Mr. Schoech has reviewed this code section and agrees with Mr. Atkinson's interpretation. Mr. Johnson feels that he is not being treated fairly and wants the same treatment as all other fences in the last eleven years. Mr. Johnson stated that the barbed wire is not an issue and will not exceed the 8 feet stated in the code.

Mr. Atkinson made a motion, seconded by Mr. Kaki to recommend to the commission that the appeal be in Mr. Johnson's favor. Motion passed on a voice vote – 3 ayes/1 nay - Chairman Hughes voting nay

PLANNING & ZONING MEETING – MARCH 14, 2016

Agenda Item #1: Discussion of Industrial Park.

Mr. Reese stated that Mr. Atkinson requested this discussion regarding the Commerce Park regulations. Mr. Atkinson said that after the Juice Plant, a new business wanting to come into the park is restricted on where to place a loading dock. Mr. Reese stated that language may have been from the Department of Community Affairs (DCA) and Mr. Schoech says loading docks are not requirements for the grant from DCA. Mr. Atkinson feels that the area cannot grow with the restrictive code regarding the Commerce Park. He feels that Section 110-498 of the City of Clewiston's Code of Ordinances is too restrictive and would like to work with Community Development before the next meeting.

Other Business

Mr. L. Hughes would like to see restrictions city wide regarding barbed wire fencing. Maybe there should be a moratorium on fence permits until the City Commission can consider changing the language.

Adjournment

The motion to adjourn was made by Mr. Kaki, seconded by Mr. Atkinson at 6:26 p.m. Motion passed unanimously on a voice vote – 4 ayes.

Submitted by: [Signature], Director of Building & Zoning  
Approved by: [Signature], Chairman